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RSPA-01-10155-19

Dr. Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety
Research & Special Programs Administration
Department of Transportation
Washington, DC 20590

DEPT. OF TRANSPORTATION
DIRECTOR'S
02 JUL 11 PM 4:00

**Re: Request for modification of
DOT-E 12772; Air Cruisers Co.**

Dear Dr. McGuire:

On behalf of Air Cruisers Co., we thank you for issuance of DOT-E 12772, the emergency exemption pertaining to 3HT steel cylinders used on certain of the company's life saving equipment. This current application requests three things:

1. Please undertake the proceeding to convert this emergency exemption to one having an expiration date at the statutory maximum period of two years.
2. In Paragraph 7.b.(1) of the exemption, please change the dates of "December 31, 2001" to "April 30, 2002," and "January 1, 2002" to "May 1, 2002."

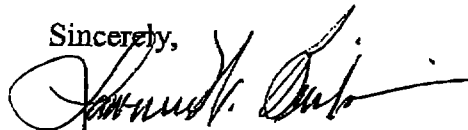
As we have noted in our various filings for this exemption, a certain amount of time is necessary for the design, manufacture, and delivery of the replacement cylinders, as well as the circulation and implementation of the company Service Bulletins and related FAA Airworthiness Directives. To make the refilling of an affected cylinder unlawful after December 31, 2001, simply does not provide enough time to carry out this implementation.

The emergency exemption notes in Paragraph 7.b. that further transportation of these units is not authorized after April 30, 2005. This is three years from what we believe to be a more appropriate mandatory start date for the conversion, and we ask that you conform subparagraph (1) to this date.

3. In Paragraph 8.a., please change the term "serial number" to "part number," and delete the sentence saying that Air Cruisers must provide the list to each person or facility responsible for servicing the equipment. As we have described in our prior correspondence, the replacement process will be guided by Air Cruiser's Service Bulletins and mandated by FAA Advisory Circulars, which will be framed in terms of part numbers prior to certain serial numbers. The mandating document is not the exemption. We believe the exemption should have phrasing paralleling the controlling FAA documents, but should not be crafted to replace or to confuse the FAA documents. A draft Service Bulletin is attached for your information, and we expect the FAA documents to have similar if not identical "Effectivity" paragraphs.

Please contact me if you have any questions on these three requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence W. Bierlein", with a stylized flourish extending to the right.

Lawrence W. Bierlein
For Air Cruisers Company